

OFFICE OF THE ZONING ADMINISTRATOR

Meeting of December 13, 2005

1. Beck Second Dwelling, ZAP 05-015, North County Metro Subregional Planning Group, (RR) Rural Residential Use Regulation, (2) Residential Land Use Designation (Sloan)

Project Description and Location: The Beck project proposes to add a second dwelling unit and garage to the property. The proposed manufactured home of 1,192 square feet of floor space with three bedrooms and two baths will sit on a crawlspace perimeter foundation. An enclosed two-car garage of 480 square feet is proposed attached to the second dwelling unit with concrete driveway access to Valley Crest Drive. The existing primary home and attached garage is 2,529 square feet and is located on a 0.69-acre lot. The exterior of the proposed structure will be designed to match the style of the primary residence. The entry and front door to the proposed second dwelling unit will be on the south side of the building, facing away from Valley Crest Drive. The site is designated (2) Residential on the North County Metro Subregional Plan and is within the Category of Current Urban Development Area (CUDA) of the General Plan. It is zoned RR (Rural Residential, 1 dwelling unit per acre) and has no special area designators.

Environmental Status: The project has been determined to be exempt from environmental review pursuant to Section 15303 – New Construction or Conversion of Small Structures – of the California Environmental Quality Act (CEQA) Guidelines.

Planning Group/Public Comments: The Twin Oaks Valley Sponsor Group met on this project on July 20, 2005 and voted 6-0 to approve the project with conditions.

Recommendation: Grant the attached Form of Decision, which approves Minor Use Permit ZAP 05-015, with the appropriate findings made and including those requirements and conditions necessary to ensure the project is implemented in a manner consistent with the Zoning Ordinance.

ZA05\12-13\ZAP05015-LTR;jcr

December 13, 2005

Ms. Carol Beck
756 Valley Crest Drive
Vista, California 92084

DRAFT

FINAL DECISION OF THE ZONING ADMINISTRATOR
Minor Use Permit

APPLICATION NUMBER: ZAP 05-015 APN: 181-231-47

AWARD NUMBER: 05-0045628

NAME OF APPLICANT: Carol Beck

LOCATION OF PROPERTY: 756 Valley Crest Drive, Vista, CA 92084
Twin Oaks Valley Community Sponsor Group

DECISION:

Grant in substantial conformance with the approved plot plan, floor plan and elevations dated October 7, 2005, consisting of four (4) sheets, a Minor Use Permit for a second dwelling unit of 1,192 square feet, pursuant to Section 6156.X of the Zoning Ordinance.

Compliance with other applicable San Diego County codes, ordinances, and requirements is required unless otherwise noted.

CONDITIONS:

The following conditions are imposed with the granting of this Minor Use Permit:

Building permit plans must conform in detail to this approved design. Failure to conform can cause delay to or denial of building permits and require formal amendment of this approved design. No waiver of the Uniform Building Code standards or any other code or ordinance is intended or implied.

- A. Prior to obtaining any building or other permit pursuant to this Minor Use Permit, and prior to commencement of construction or use of the property in reliance on this Minor Use Permit, the applicant shall:
 - 1. Pay off all existing deficit accounts associated with processing this application to the satisfaction of the Department of Planning and Land Use.
 - 2. A grading permit will be required prior to commencing of the grading where quantities exceed 200 cubic yards of material and/or cuts or fills are five feet (5') or more in height per criteria of Section 87.201 of the County Zoning and Land Use Regulations.
 - 3. Submit a notarized and recorded copy of an agreement between the owner and the County of San Diego on form DPLU/CO #653. Said agreement shall state that the owner understands and will abide by the requirements of Section 6156(X) and any other applicable provisions of the Zoning Ordinance, and that said agreement is binding on all successors in interest to the subject property as long as the second dwelling unit is used or maintained for use as a second dwelling.
- B. Prior to any occupancy or use of the premises pursuant to this Minor Use Permit, the applicant shall:
 - 1. Have a registered civil engineer, a registered traffic engineer, or a licensed surveyor provide a signed statement that: "Physically, there is adequate unobstructed sight distance along Valley Crest Drive in both directions from the existing driveway, per Section 6.1.E of the County Public Road Standards (approved July 14, 1999)". If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify: "Said lines of sight fall within the existing right-of-way and a clear space easement is not required."
 - 2. Transfer the property into Zone A of the San Diego County Street Lighting District without notice or hearing, and pay the cost to process such transfer.
 - 3. Submit photographic evidence to the satisfaction of the Director of Planning and Land Use that the architectural design, building materials

and colors of the second dwelling unit are substantially the same as that of the primary dwelling.

4. Furnish the Director of Planning and Land Use, along with their request for final inspection, a letter from the Director of Public Works, stating Condition B.2 has been completed to that department's satisfaction.
- C. The following conditions shall apply during the term of the Minor Use Permit.
1. Comply with all applicable stormwater regulations at all times. The activities proposed under this application are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance (Ordinance No. 9424 and Ordinance No. 9426) and all other applicable ordinances and standards. This includes requirements for materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas of one (1) acre or greater require that the property owner keep additional and updated information onsite concerning stormwater runoff. This requirement shall be to the satisfaction of the Director of Public Works.
 2. Owner-occupancy for either the primary dwelling or the second dwelling unit is required for the duration of the use of the second dwelling unit for residential purposes, except as allowed by Section 6156.X.11.i of the Zoning Ordinance.
 3. Separate sale or ownership of the second dwelling unit from the primary dwelling located on the same lot is prohibited unless a subdivision is created pursuant to the Subdivision Ordinance.
- D. The Minor Use Permit expires on December 13, 2007, unless construction and/or use in reliance has started, or unless an extension has been granted previously by the Zoning Administrator.

FINDINGS:

CEQA FINDINGS:

It is hereby found that the proposed project is exempt from the California Environmental Quality Act (CEQA) as specified under Section 15303, New Construction or Conversion of Small Structures, of the State CEQA Guidelines for the reasons detailed in the Notice of Exemption Form dated July 26, 2005 on file with DPLU as Minor Use Permit ZAP 05-015.

STORMWATER FINDINGS:

It is hereby found that the project proposed by the application has prepared plans and documentation demonstrating compliance with the provisions of the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance.

MINOR USE PERMIT FINDINGS:

- a. That the location, size, design, and operating characteristics of the proposed use will be compatible with adjacent uses, residents, buildings, or structures, with consideration given to:

1. Harmony in scale, bulk, coverage and density;

Scale/Bulk: The existing single-family residence is 2,529 square feet in size on a 30,056 square foot lot (0.69 acre). The project proposes a 1,192 square foot, single story, second dwelling unit. The project is located on the corner of Valley Crest Drive within a community of approximately 36 lots, all zoned RR1 (Residential). The majority of the lots contain single-family residences on lot sizes averaging 0.85 acres, ranging from 0.5-acres to 4.67-acres in size. The existing residence on the subject lot is single story with an attached garage; other homes in the area are one and two stories with attached and detached garages. Mature landscaping, walls and fences screen many of the residences. The proposed second dwelling unit will match the design and exterior construction materials of the existing residence including color and roofing. Therefore, the proposed structure is consistent with the scale and bulk of the surrounding structures.

Coverage: The existing single-family residence is 2,529 square feet and covers approximately 8 percent of the 0.69-acre lot. The addition of the second dwelling unit would increase the coverage by approximately 4 percent, which is consistent with the coverage characteristics of the surrounding residential neighborhood. The size of primary structures in the neighborhood range from 854 square feet to 3,220 square feet with an approximate average of 2,013 square feet and the average lot size is 0.85-acre. Secondary structures in the neighborhood range in size from 90 square feet to 950 square feet. Several of the properties have added accessory structures. Therefore, the proposed structure is consistent with coverage of the surrounding lots.

Density: The project does not propose an increase in density because second dwelling units pursuant to the Zoning Ordinance do not count against density.

2. The availability of public facilities, services and utilities;

Project Facility Availability forms submitted with the permit application certify the availability of services to the proposed project from the Vista Fire Protection District, Vista Unified School District, Buena Sanitation District, and the Vista Irrigation District

3. The harmful effect, if any, upon desirable neighborhood character;

Most of the surrounding area consists of detached one- and two-story single-family residences. Some of the lots have detached accessory structures. The proposed second dwelling unit will have building materials, colors and design that is substantially the same as those of the primary dwelling. Off-street parking for the proposed second dwelling will be provided by an attached two-car garage. Therefore, the project is consistent with the size, use and appearance of the surrounding structures in the area and will not have any harmful effect on the desirable neighborhood character.

4. The generation of traffic and the capacity and physical character of surrounding streets;

The proposed project will result in an additional 12 Additional Daily Trips (ADT). The project was reviewed by the Department of Public Works and was determined not to result in a substantial increase in the number of vehicle trips, volume of capacity ratio on roads, or congestion at intersections in relation to existing conditions. In addition, the project will not contribute to a cumulatively considerable impact. Therefore, the project will not have a significant project or cumulative level impact increase in traffic, which is considered substantial in relation to existing traffic load and capacity of the local street system.

5. The suitability of the site for the type and intensity of use or development which is proposed;

The site is surrounded by residential uses. The structure meets all main building setbacks for the property. The site has adequate access off-site and services and utilities are available for the proposed structure. The site is relatively flat and development of the area would not result in any

significant impact to any sensitive resources. Therefore, the site is suitable for the proposed second dwelling unit.

6. Any other relevant impact of the proposed use.

None identified.

- b. That the impacts, as described in Paragraph "a" of this section and the location of the proposed use will be consistent with the San Diego County General Plan.

The proposed project is consistent with the General Plan because the subject property is designated (2) Residential which provides for residential uses and the project is an accessory use associated with the existing residential use.

- c. That the requirements of the California Environmental Quality Act have been complied with.

The project has been found to be categorically exempt from environmental review pursuant to Section 15303 of the State CEQA Guidelines because the project proposes the new construction of a small structure, and the project is not located in an area that will impact significant environmental resources of critical concern, will not result in cumulative significant impact over time, will not have a significant effect on the environment due to unusual circumstances, is not located in any government listed Hazardous Waste Sites and will not result in and adverse change in significant Historical Resources.

NOTICES:

NOTICE: THE ISSUANCE OF THIS PERMIT/APPROVAL BY THE COUNTY OF SAN DIEGO DOES NOT AUTHORIZE THE APPLICANT FOR SAID PERMIT/APPROVAL TO VIOLATE ANY FEDERAL, STATE, OR COUNTY LAWS, ORDINANCES, REGULATIONS, OR POLICIES INCLUDING, BUT NOT LIMITED TO, THE FEDERAL ENDANGERED SPECIES ACT AND ANY AMENDMENTS THERETO.

NOTICE: The Project was found to have "de minimus" impacts on fish and wildlife resource, therefore no fee is required.

The decision of the Zoning Administrator becomes final on the eleventh day following the date on this permit unless prior to that date, you or a protestant files a written appeal to the Planning Commission accompanied by a fee of seven hundred and fifty dollars (\$750.00). Filing of an appeal will stay the decision of the Zoning Administrator until a hearing on your application is held and action is taken by the Planning Commission.

The foregoing was a decision by the Zoning Administrator on December 13, 2005. A copy of this decision is on file in the office of the Zoning Administrator and a copy was mailed to the applicant at the address shown on the application.

GARY L. PRYOR, Director
Department of Planning and Land Use

By:
ROSE M. GARDUÑO
Zoning Administrator

RMG:CAS:jcr

cc: Twin Oaks Valley Sponsor Group, P.O. Box 455, San Marcos, CA 92079
Lee Shick, Project Manager, Department of Public Works, M.S. O336
Susan Porter, Planning Manager, Department of Planning and Land Use,
M.S.O650

ZA05\12-13\ZAP05015-DEC